IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 18065 of 1997

Between:

K.Rama Devi, W/o K.Jagadeswara Rao,

Proprietrix, K.P.Enterprises, Tadepalligudem,

West Godavari District.

..... PETITIONER

AND

1. The Principal Secretary to the Government, Revenue, Government of A.P.,

Hyderabad 500 004

2. Commissioner of Commercial Taxes, A.P., M.J.Road, Hyderabad.

3. Appellate Deputy Commissioner (CT), Near Kandhari Hotel, Bunder Road,

Vijayawada.

4. Commercial Tax Officer, Tadepalli Goodem, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order preferably in the nature of writ of Mandamus declaring the provision substituted mainly "provided that the appellate authority may within a further period of thirty days admit the appeal preferred after a period of thirty days he is satisfied that the dealer had sufficient cause for not preferring the appeal within that period" as arbitrary against the principles of natural justice, repugnant to the provision of Sec. 5 of the Limitation Act (Central Act) and therefore illegal thus violative of Fundamental rights guaranteed under Art.14 and 21 and also 254 of the Constitution of India.

For the Petitioner:None appeared

Counsel for the Respondents: GP FOR COMMERCIAL TAX

The Court made the following

O R D E R (Per the Hon'ble Sri Justice Bilal Nazki):

The petitioner was served with a notice after it was reported that Sri Dilleswara Rao, Advocate, who had appeared for her had passed over. Since the petitioner did not appear even after service of notice, the writ petition is dismissed for non-prosecution and non-appearance. No order as to costs.

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(BILAL NAZKI, J)

1st November, 2004.

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(S.ANANDA REDDY, J)

vrn

To

1. The Principal Secretary to the Government, Revenue, Government of A.P.,

Hyderabad 500 004

2. Commissioner of Commercial Taxes, A.P., M.J.Road, Hyderabad.

3. Appellate Deputy Commissioner (CT), Near Kandhari Hotel, Bunder Road, Vijayawada.

4. Commercial Tax Officer, Tadepalli Goodem, West Godavari District.

5. Two C.Cs to the Government Pleader for Commercial Taxes,
High Court of A.P, Hyderabad (OUT)

6 Two C.D copies